IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MARK B. ARONSON, Individually on behalf of All Persons) Similarly Situated,	
Plaintiff,	2:04cv705
v.	Electronic Filing
CAPITAL ONE BANK, THE WESTMORELAND AGENCY, INC.,	Judge Cercone Magistrate Judge Hay
Defendants.	

ORDER

AND NOW, this **20** day of September, 2005, after the plaintiff, Mark B.

Aronson, filed an action in the above-captioned case, and after a Motion to Compel Arbitration and Stay Action was submitted by defendants, Capital One Bank and The Westmoreland Agency, Inc., and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that defendant's Motion to Compel Arbitration and Stay Action [Docket No. 18] is GRANTED.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

DAVID STEWART CERCONE
United States District Judge

cc: Honorable Amy Reynolds Hay United States Magistrate Judge Clayton S. Morrow, Esquire Morrow & Morrow, PC 304 Ross Street Mitchell Building, 7th Floor Pittsburgh, PA 15219

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